

BEST AVAILABLE COPY

PATENT

Customer No. 22,852 Attorney Docket No. 7883.0005-04

AND TRADEMARK OF THE CANAL AND TRADEMARK OF THE IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Todd A. HALL et al. Application No.: 09/891,663

Filed: June 27, 2001

STENT DELIVERY SYSTEM AND For:

METHOD OF USE

Commissioner for Patents and Trademarks Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the documents listed on pages 1-7 of the attached Form 1449 were either previously submitted or cited by the Examiner in U.S. Application No. 09/710,884, filed November 14, 2000, and U.S. Application No. 09/150,181, filed September 10, 1998, now U.S. Patent No. 6,196,230, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Copies of the documents listed on pages 8 and 9 of the Form 1449 are attached. Should the Examiner for any reason need a copy of any of the cited documents, the Examiner is invited to telephone the undersigned at (202) 408-4445 and such copy will be provided.

FINNEGAN **HENDERSON** FARABOW GARRETT& DUNNER LLP

1300 I Street, NW Washington, DC 20005 202.408.4000 Fax 202,408,4400 www.finnegan.com



Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: December 12, 2001

Susanne C. Tinker Reg. No. 44,472

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

1300 I Street, NW Washington, DC 20005 202.408.4000 Fax 202.408.4400 www.finnegan.com

247500-1

2